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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,580	07/25/2003	Seh Joon Dokko	SI-0039	9531
34610	7590	11/15/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			BALAOING, ARIEL A	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,580

Applicant(s)

DOKKO, SEH JOON

Examiner

Ariel Balaoing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
4a) Of the above claim(s) 1-26, 37 and 38 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 27-36 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group III (claims 27-36) in the reply filed on October 27, 2005 is acknowledged.
2. Claims 1-26, 37 and 38 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on October 27, 2005.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 27, 28, 30, 32, 33, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by HOLLOWAY et al (US 2003/0092451 A1).

Regarding claim 27, HOLLOWAY discloses a method for processing calls in a mobile communication system (abstract), comprising: receiving a request to pick up a call directed to a first mobile terminal (abstract; paragraph 14, 17, 19, 20); and

transferring the call to a second mobile terminal in response to the request (abstract; paragraph 14, 17, 19, 20).

Regarding claim 28, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. HOLLOWAY further discloses wherein the first and second mobile terminals are located in a coverage area of a same base station or sector (Figure 1, Figure 5; paragraph 14, 17, 19, 20).

Regarding claim 30, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. HOLLOWAY further discloses further comprising: transmitting information to the first mobile terminal indicating a number of the second mobile terminal that received the transferred call (paragraph 17).

Regarding claim 32, HOLLOWAY discloses a system for processing calls in a mobile communication system (abstract), comprising: a processor which receives a request to pick up a call directed to a first mobile terminal and transfers the call to a second mobile terminal in response to the request (abstract; paragraph 14, 17, 19, 20; a processor of some form is necessary in order to establish calls to be forward to the secondary mobile device).

Regarding claim 33, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. HOLLOWAY further discloses wherein the first and second mobile terminals are located in a coverage area of a same base station or sector (Figure 1, Figure 5; paragraph 14, 17, 19, 20).

Regarding claim 35, see the rejections of the parent claim concerning the subject matter this claims is dependent upon. HOLLOWAY further discloses wherein the

processor transmits information to the first mobile terminal indicating a number of the second mobile terminal that received the transferred call (paragraph 17).

5. Claims 27, 29, 32, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by LANTTO (US 5,867,784).

Regarding claim 27, LANTTO discloses a method for processing calls in a mobile communication system (abstract), comprising: receiving a request to pick up a call directed to a first mobile terminal (column 5:line 66-column 6:line 47; column 8:line 29-56); and transferring the call to a second mobile terminal in response to the request (column 5:line 66-column 6:line 47; column 8:line 29-56).

Regarding claim 29, see the rejections of the parent claim (LANTTO) regarding the subject matter this claim is dependent upon. LANTTO further discloses wherein the first and second mobile terminals are located in coverage areas of different base stations or sectors (column 5:line 66-column 6:line 47; column 8:line 29-56).

Regarding claim 32, LANTTO discloses a system for processing calls in a mobile communication system (abstract), comprising: a processor which receives a request to pick up a call directed to a first mobile terminal and transfers the call to a second mobile terminal in response to the request (column 5:line 66-column 6:line 47; column 8:line 29-56; a processor of some form is necessary in order to establish calls to be forward to the secondary mobile device).

Regarding claim 34, see the rejections of the parent claim (LANTTO) regarding the subject matter this claim is dependent upon. LANTTO further discloses wherein the

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first and second mobile terminals are located in coverage areas of different base stations or sectors (column 5:line 66-column 6:line 47; column 8:line 29-56).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 31 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over LANTTO (US 5,867,784) as applied to claim 27 and 32 above, and further in view of WILL (US 5,905,789).

9. Regarding claim 31, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, LANTTO does not disclose further comprising: storing information indicative a group of mobile phones eligible to pick-up calls for the first mobile phone; and determining whether the second mobile phone is in said group, wherein said transferring step is performed only if the second mobile phone is determined to be within said group. WILL discloses further comprising: storing

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information indicative a group of mobile phones eligible to pick-up calls for the first mobile phone (column 4:line 49-column 5:line 23; column 6:line 3-18); and determining whether the second mobile phone is in said group, wherein said transferring step is performed only if the second mobile phone is determined to be within said group (column 4:line 49-column 5:line 23; column 6:line 3-18). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify LANTTO to include storing a group of mobile phones capable of forwarding a call, as taught by WILL, as this allows LANTTO to forward the call to another device if the first device does not pick up.

Regarding claim 36, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, LANTTO does not disclose further comprising: storing information indicative a group of mobile phones eligible to pick-up calls for the first mobile phone; and determining whether the second mobile phone is in said group, wherein said transferring step is performed only if the second mobile phone is determined to be within said group. WILL discloses further comprising: storing information indicative a group of mobile phones eligible to pick-up calls for the first mobile phone (column 4:line 49-column 5:line 23; column 6:line 3-18); and determining whether the second mobile phone is in said group, wherein said transferring step is performed only if the second mobile phone is determined to be within said group (column 4:line 49-column 5:line 23; column 6:line 3-18). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify LANTTO to include storing a group of mobile phones capable of forwarding a

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call, as taught by WILL, as this allows LANTTO to forward the call to another device if the first device does not pick up.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

PALVIAINEN et al (US 2001/0023183 A1) – Call Forwarding in a telecommunications network

HEISKARI et al (US 5,930,723) – Establishing an expanded group call in a mobile communication system

GOSS et al (2002/0137498 A1) – Automatic call forwarding when a mobile unit goes out of service

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ariel Balaoing
Art Unit 2683
Patent Examiner

AB



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